

SEC. 10-1.1540 CENTRAL CITY - PLAZA SUBDISTRICT (CC-P)

SEC. 10-1.1541 CC-P PURPOSE.

The purpose of the Central City - Plaza (CC-P) Subdistrict is to establish a unique environment of retail and other complementary uses contributing to the pedestrian nature and quality image of such streets as B Street.

SEC. 10-1.1542 CC-P PERMITTED USES.

a. **Primary Uses.** The following uses, or uses determined to be similar by the Planning Director, are permitted in the CC-P District as primary uses.

- (1) **Administrative and Professional Offices/Services.** (Above first floor only)
 - (a) Accounting and financial offices. (Excluding check cashing stores)
 - (b) Architectural and engineering offices.
 - (c) Banks. (Excluding check cashing stores)
 - (d) Chiropractic and acupuncture offices.
 - (e) Insurance and real estate offices.
 - (f) Law offices.
 - (g) Medical and dental offices.
 - (h) Travel and airline agency offices.
- (2) **Automobile Related Uses.**
Automobile parts store.
- (3) **Personal Services.**
 - (a) Barber/beauty shop. (Excluding beauty college)
 - (b) Dry cleaning/laundry.
 - (c) Nail salon.
 - (d) Photography studio.
 - (e) Shoe repair.
 - (f) Tailor/seamstress shop.
- (4) **Residential Uses.**
 - (a) Artist's loft. (Live above place of business; non-first floor only)
 - (b) Residential dwelling unit(s).
 - (c) Single-family dwelling(s). (Existing as of May 4, 1993, including their accessory structures and uses, any floor)
- (5) **Retail Commercial Uses.**
 - (a) Antique store.
 - (b) Appliance store.
 - (c) Art and art supplies store.

- (d) Bicycle store.
- (e) Bookstore.
- (f) Camera store.
- (g) Card shop.
- (h) Carpet/drapery store.
- (i) Clothing store.
- (j) Consignment store.
- (k) Fabric store.
- (l) Floral shop.
- (m) Furniture store.
- (n) Garden supplies store.
- (o) Gift shop.
- (p) Hardware store.
- (q) Jewelry store.
- (r) Locksmith shop.
- (s) Music store.
- (t) Paint/wallpaper store.
- (u) Pet grooming shop.
- (v) Pet store.
- (w) Plumbing and heating store.
- (x) Restaurant. (No bar)
- (y) Sporting goods store.
- (z) Stationary store.
- (aa) Supermarket.
- (bb) Theater. (Small Motion Picture, Large Motion Picture or Live Performance.)
- (cc) Toy store.
- (dd) Variety store.
- (ee) Video sales and rental.

(6) Service Commercial Uses.

- (a) Appliance repair shop. (Ancillary to appliance sales)
- (b) Copying or reproduction facility.
- (c) Mailing or facsimile service.
- (d) Reverse vending machines. (When located within a convenience zone)

(7) Other Uses.

- (a) Broadcasting studio.
- (b) Public agency facilities
- (c) Parks.

b. **Secondary Uses.** The following uses are permitted as secondary or subordinate uses to the permitted uses in the CC-P Subdistrict:

- (1) Accessory buildings and uses. (See Section 10.1.845a.-d.)

- (2) Garage sales. (4 per year per dwelling. See General Regulations Section 10-1.2735e.)
- (3) Home Occupation. (See definitions)
- (4) Household pets.
- (5) Indoor storage. (Clearly subordinate to a primary or conditional use that is open to the public and which conforms to the policies and goals of the Redevelopment Agency and the CC-P Subdistrict.

SEC. 10-1.1543 CC-P CONDITIONALLY PERMITTED USES.

- a. **Administrative Uses.** The following uses, or uses determined to be similar by the Planning Director, are permitted in the CC-P Subdistrict subject to approval of an administrative use permit:

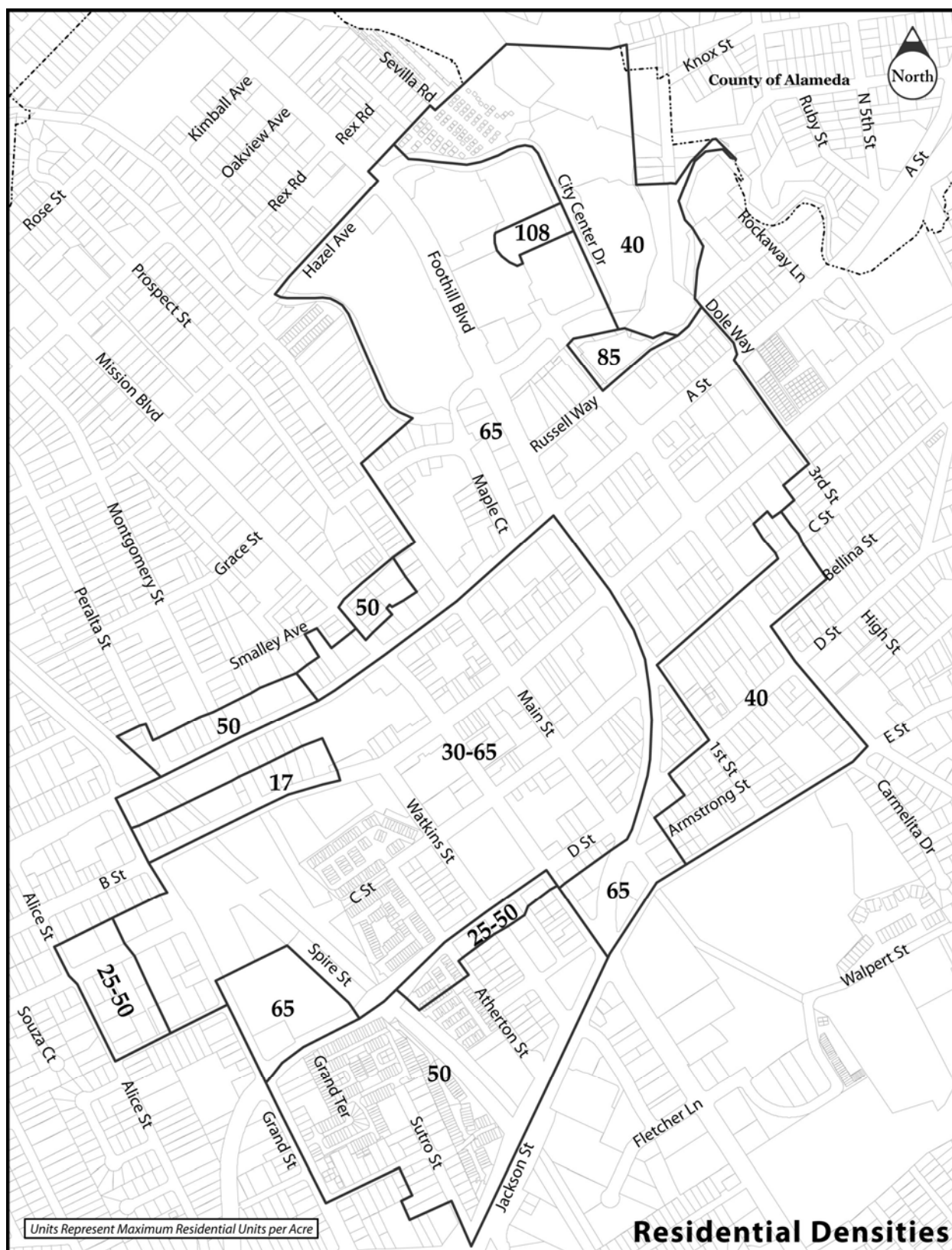
- (1) **Administrative and Professional Offices/Services.** (On first floor)
 - (a) Accounting and financial offices.
 - (b) Architectural and engineering offices.
 - (c) Chiropractic and acupuncture offices.
 - (d) Insurance and real estate offices.
 - (e) Law offices.
 - (f) Medical and dental offices.
 - (g) Travel and airline agency offices.
- (2) **Automobile Related Uses.**
None.
- (3) **Personal Services.**
 - (a) Dance studio. (Non-first floor only.)
 - (b) Health club. (Non-first floor only.)
 - (c) Marshall arts studio. (Non-first floor only.)
 - (d) Music studio. (Non-first floor only.)
 - (e) Physical fitness studio. (Non-first floor only.)
 - (f) Suntan parlor. (Non-first floor only.)
- (4) **Residential Uses.**
None.
- (5) **Retail Commercial Uses.**
None.
- (6) **Service Commercial Uses.**

- (a) Recycling collection area. (When located within a convenience zone.)
 - (b) Upholstery shop. (Furniture only)
- (7) Other Uses.
 - (a) Ambulance service. (Above first floor only)
 - (b) Banquet hall. (Where no alcohol is served)
 - (c) Catering facility. (Where no alcohol is served)
 - (d) Day care center. (Above first floor only. State-licensed, less than 24-hour care for children or adults, 15 or more persons, excluding staff. See definitions.)
 - (e) Farmer's market. (First floor only.)
 - (f) Home occupation - expanded. (See definitions.)
 - (g) Temporary use.
- b. **Conditional Uses.** The following uses, or uses determined to be similar by the Planning Director, are permitted in the CC-R Subdistrict subject to approval of an conditional use permit:
 - (1) Administrative and Professional Offices/Services.
 - Check cashing store. (First floor only)
 - (2) Automobile Related Uses.
 - Parking lot or parking structure. (Above first floor only)
 - (3) Personal Services.
 - Massage parlor. (Above first floor only)
 - (4) Residential Uses.
 - None.
 - (5) Retail Commercial Uses. (See General Regulations Section 10-1.2735b. for regulations of alcohol.)
 - (a) Bar, cocktail lounge.
 - (b) Dance or night club.
 - (c) Convenience market.
 - (d) Liquor store.
 - (6) Service Commercial Uses.
 - Hotel or motel. (Above first floor only)
 - (7) Other Uses.
 - (a) Auctions. (Above first floor only)
 - (b) Banquet hall.
 - (c) Catering facility.
 - (d) Commercial amusement facility.

- (e) Cultural facility.
- (f) Educational facility.
- (g) Hospital, convalescent home. (Above first floor only)
- (h) Recreational facility.
- (i) Religious facility. (Above first floor only)

SEC. 10-1.1544 CC-P LOT REQUIREMENTS.

- a. Minimum Lot Size: None.
- b. Maximum Residential Density: Densities shall be established in substantial compliance with Downtown Hayward Design Plan, and as indicated herein.



- c. Minimum Lot Frontage: None.
- d. Minimum Average Lot Width: None.
- e. Maximum Lot Coverage: None.
- f. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

SEC. 10-1.1545 CC-P YARD REQUIREMENTS.

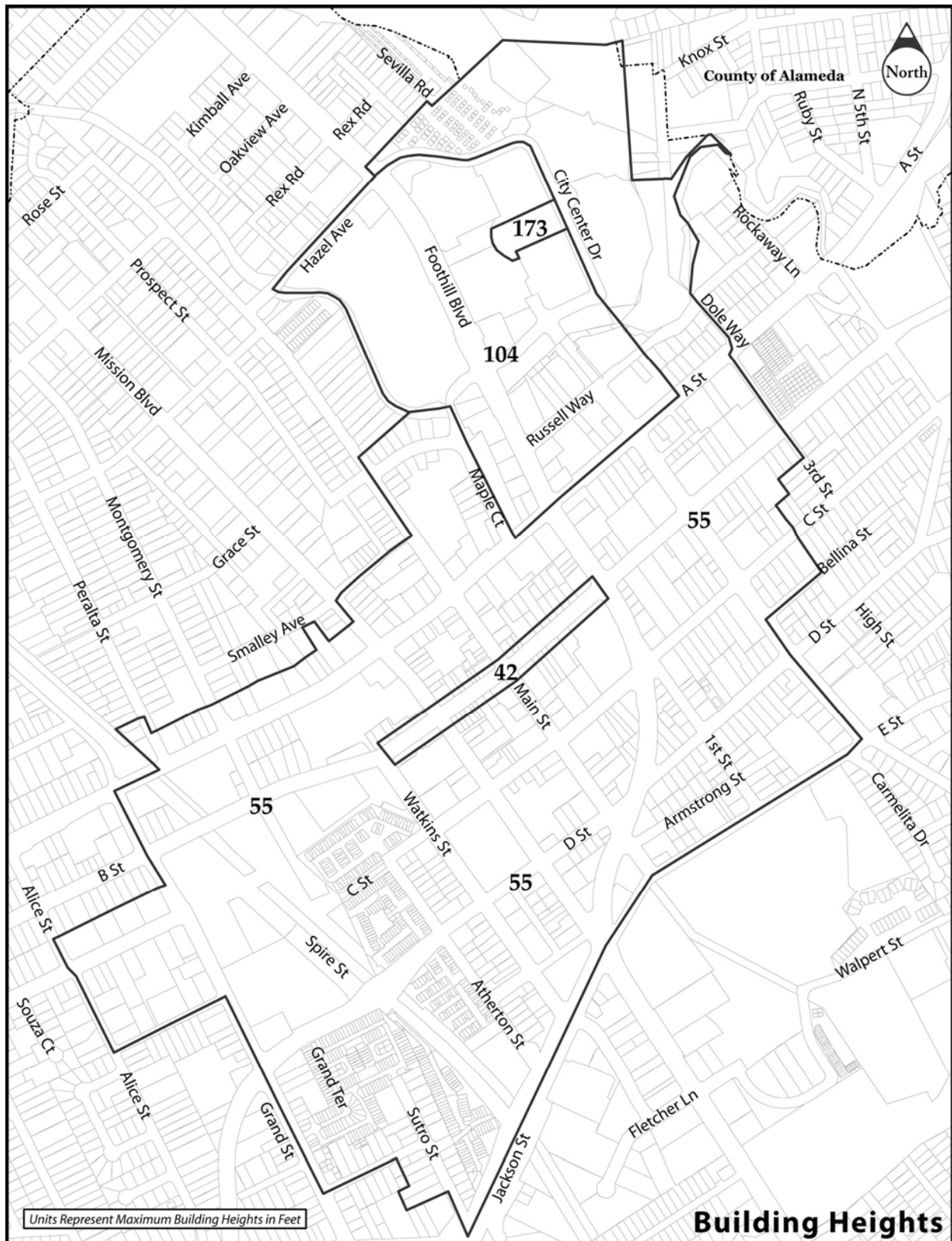
- a. Minimum Front Yard: In substantial compliance with Downtown Hayward Design Plan, and as indicated herein.



- b. Minimum Side Street Yard: None.
- c. Minimum Side Yard: None.
- d. Minimum Rear Yard: None, except 15 feet shall be required for residential uses or other uses abutting residential or open space zones or residentially developed property.
- e. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

SEC. 10-1.1546 CC-P HEIGHT LIMIT.

- a. Maximum Building Height: Maximum height shall be established in substantial compliance with the Downtown Hayward Design Plan, and as indicated herein.



- b. Maximum Accessory Building Height: 14 feet and one story.
- c. Maximum Height for Fences/hedges/walls:
 - (1) Front and Side Street Yard. 4 feet.
 - (2) Side and Rear Yard. 6 feet.(Also see Section 10-1.1555h. for additional standards)
- d. Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.

SEC. 10-1.1550 SITE PLAN REVIEW REQUIRED FOR CC-C, CC-R, AND CC-P DISTRICTS.

Site Plan Review approval is required before issuance of any building or construction permit or construction of a fence within this district only if the Planning Director determines that a project materially alters the appearance and character of the property or area or may be incompatible with City policies, standards and guidelines.

SEC. 10-1.1555 MINIMUM DESIGN AND PERFORMANCE STANDARDS FOR CC-C, CC-R, AND CC-P SUBDISTRICTS.

The City recognizes that high-quality design of commercial structures can contribute to a positive appearance of neighborhoods and improve the overall character of the community. This Section establishes design and performance standards that shall apply to residential and commercial development allowed in the CC districts, including but not limited to cultural, educational, religious or recreational facilities. The following documents shall be referred to and applied where applicable for development in the CC districts:

City of Hayward Design Guidelines, November 9, 1993.
Downtown Hayward Design Plan, July 7, 1992.
Design Requirements and Guidelines of Downtown Hayward, July 7, 1992.
Hayward Downtown Historic Rehabilitation District Commercial Design Manual, November 9, 1993.
The Core Area Plan - Recentering, July 28, 1992.
Downtown Hayward Redevelopment Plan, July 28, 1992.

Single-Family Dwelling.

For single-family dwellings existing as of May 4, 1993, any addition, accessory building and use shall conform to the Single-Family Residential District Minimum Design and Performance Standards, Section 10-1.245, and the following applicable criteria and standards.

Multiple-Family Dwelling.

For multiple-family dwelling(s) refer to the design criteria contained in the above documents, the Minimum Design and Performance Standards contained RH District, and the following applicable criteria and standards relating to multiple-family dwellings.

Non-Residential Buildings and Uses.

For commercial buildings and uses refer to the design criteria contained in the above documents, which ever is most applicable, and the following specific criteria and standards.

a. **Accessory Structures, Decorative.**

Detached decorative accessory structures, including but not limited to arbors, trellises, etc., shall meet the following criteria:

- (1) Shall not exceed one story or 14 feet in height.
- (2) Shall use exterior materials and colors which either match or are compatible with the primary building. Special design consideration should be given to structures visible from a public street.
- (3) Shall not be located in a required front yard or side street yard.
- (4) The area of all accessory buildings, either individually or cumulatively shall not exceed 50 percent of the ground floor area of the primary building.
- (5) Accessory buildings shall not cumulatively exceed 40 percent coverage of a required rear yard.
- (6) Accessory buildings may include a bathroom but shall not be used for habitable living spaces.

b. **Adult Entertainment Activity.**

Refer to Section 10-1.2735.a. for Adult Entertainment Activity Regulations.

c. **Alcoholic Beverage Outlets.**

Refer to Section 10-1.2735.b. for Alcoholic Beverage Outlet Regulations.

d. **Antennas and Satellite Dishes and Telecommunications Devices.**

Refer to Chapter 10, Article 13 of the Hayward Municipal Code, the Antenna and Telecommunications Facilities Ordinance, for regulations of antennas, satellite dishes and telecommunications devices.

e. **Architectural Design Principles.**

- (1) All Areas. Refer to the City of Hayward Design Guidelines. Where applicable, development shall also be in substantial conformance with the Downtown Design Plan.

- (2) Redevelopment Area. The following special provisions shall apply to buildings located on property within the jurisdiction of the City of Hayward Redevelopment Agency, except for multi-family residences and single-family residences, unless specifically noted herein. For additional information regarding development standards in the Redevelopment Area, refer to the Design Requirements and Guidelines for Downtown Hayward.
 - (a) The Redevelopment Administrator shall be vested with the discretion to require or waive removal of prohibited design elements.
 - (b) All construction, including awnings and canopies, shall conform to requirements of the City of Hayward building, plumbing, electrical and mechanical codes and requirements of the State of California (i.e., the Alquist-Priolo Act; Title 24 of the California Administrative Code).
- (3) New Construction.
All Areas.
 - (i) New commercial and multi-family residential construction should reflect the qualities of its particular design environment through use of similar materials, glazing, finishes and colors.
 - (ii) Buildings must be oriented to the street for ease of pedestrian access and to insure continuity of frontages.
 - (iii) Parking areas must be screened and landscaped, and must not be so designed as to create barriers for pedestrians.
 - (iv) Landscaping must be scaled to pedestrians and used to accent architecture.
 - (v) Buildings may be setback to accommodate landscaping, plaza areas or outdoor dining.
- (4) Building Types. Building types existing in the Downtown Hayward Redevelopment Area have been identified as follows:
 - (a) Main Street Building. Buildings characterized by vertical piers along length of building, with a horizontal sign area above storefront, surmounted by a decorative parapet or cornice, and with upper floor facades penetrated by window openings. Main Street Buildings are located in the Central Area, generally centered around Mission, B and Main Streets and vicinity.
 - (b) Other Buildings. Structures designed for special purposes and structures which do not fit into the Main Street or Showcase Building definitions, or structures which have been so changed from their original form that they can no longer be categorized as Main Street or Showcase Buildings.
- (5) Building Facades - Colors.
 - (a) Buildings shall generally be light in color.
 - (b) Accent color for detailing must be coordinated with principal color.
 - (c) Color combinations shall be harmonious for the entire building.
 - (d) Fluorescent, loud or sharply contrasting colors are prohibited, except neon lighting may be considered for restaurant type uses, subject to the approval of the Planning Director or other necessary authority.

(6) Building Facades - Materials and Finishes.

(a) All Buildings.

- (i) Exterior design and materials shall be harmonious for the building as a whole and blend harmoniously with materials and finishes of nearby buildings. Materials and finishes shall be of durable quality, intended for exterior application and applied in a professional manner.
- (ii) Wherever possible, original design materials and finishes must be preserved and deteriorated or damaged areas must be repaired with identical or similar materials.

(b) Main Street Buildings.

- (i) Permitted exterior wall materials include, but are not limited to, brick, textured stucco, dressed or cut stone, and terra cotta. Wood siding or shingles may be used when restoring or maintaining the original design but may not be introduced as an entirely new material. All wood must be smooth-finished and stained or painted consistent with the original design scheme.
- (ii) Prohibited exterior wall materials include rough-hewn or rustic materials, such as rough-hewn or diagonally applied wood siding, shakes, shingles, and fieldstone; corrugated metal siding; shiny metal or shiny panel siding; plastic panels; imitation brick siding; plywood siding; materials produced for residential or industrial uses; and materials which are inappropriately scaled, such as lava rock, permastone and small tiles. Natural materials, such as fired or glazed brick, tile, marble, terra cotta shall not be painted over. Brick surfaces shall not be repaired with stucco or covered with stucco.

(c) Showcase Buildings.

- (i) Sign panel materials shall be smooth, hard-surfaced or slick materials. Side pier and base materials shall relate to the sign panel material or the storefront framing material.
- (ii) Prohibited exterior materials include rough-hewn or rustic materials; heavily textured materials; corrugated metal siding; materials produced for residential or industrial uses and materials which are inappropriately scaled; materials which are flimsy in nature. Brick surfaces shall not be repaired with stucco or covered with stucco.

(7) Storefront Elements Materials and Finishes. Wherever possible, building fronts must not be blocked off with walls or blank solid doors, nor shall windows or other openings be filled in.

(a) Main Street Buildings.

- (i) The exterior base of storefronts, the area of building below the display window, may be polished marble panels, decorative metal or appropriately scaled ceramic tile.
- (ii) Original materials should be maintained.
- (iii) Shiny metal or shiny stone panels are prohibited base materials.
- (iv) Prohibited entryway paving materials include carpeting, imitation turf and linoleum.

(b) Showcase Buildings.

- (i) Only durable materials such as brick pavers, flagstone, terrazzo or tile shall be used for entryways.
 - (ii) Prohibited paving materials include carpeting, imitation turf and linoleum.
 - (iii) Storefront materials shall generally have a hard, smooth, durable surface.
- (8) Rear or Service Area Building Exteriors.
 - (a) Loading areas, to the extent possible, must be kept separate from pedestrian and vehicular traffic.
 - (b) Pedestrian circulation and auto parking areas must be defined and landscaped.
 - (c) All areas must be kept free of trash and debris.
 - (d) Trash containers must be stored in enclosed facilities, integrated as much as possible into the design of the building.
- (9) Awnings and Canopies.
 - (a) All Buildings.
 - (i) In general, awnings and canopies must be harmonious in shape, color, and pattern and must be compatible with the design of the building.
 - (ii) They must relate to window size and configuration, and must not dominate the storefront or cover up or destroy the building's architectural quality.
 - (iii) All awnings and canopies shall be installed in a professional manner, avoiding, to the extent possible, unsightly bracing and supporting elements.
 - (b) Main Street Buildings.
 - (i) Permitted awnings and canopies include adjustable or fixed canvas or fixed metal, located over either or both ground and upper-floor windows.
 - (ii) Prohibited awnings and canopies include those which are freestanding or partially self-supporting, continuous horizontal, and continuous building projections.
- (10) Maintenance.
 - (a) All commercial and multi-family residential buildings and properties shall be maintained so as to enhance the appearance of Downtown Hayward.
 - (b) Properties exhibiting characteristics which include, but are not limited to, the following are considered deleterious and are prohibited:
 - (i) Cracked masonry or stucco;
 - (ii) Broken or missing windows, screens or doors;
 - (iii) Unrepaired fire or vandalism damage;
 - (iv) Peeling, blistering or fading paint;
 - (v) Missing or deteriorated trim, tiles or other building elements;
 - (vi) Obsolete or deteriorated signs;
 - (vii) Torn or tattered awnings;
 - (viii) Dented or unrepaired metal overhangs;
 - (ix) Graffiti;
 - (x) Exposed storage behind windows;
 - (xi) Debris, weeds or unkempt landscaping;
 - (xii) Conditions attractive to pigeons; and
 - (xiii) Absence of adequate trash enclosure.

(11) Compliance Effective Dates. Compliance with these regulations for the Redevelopment Area shall be as follows:

- (a) As of the effective date of these regulations, all new buildings or building expansions for which a building permit is required.
- (b) As of the effective date of these regulations, all exterior building modifications for which a building permit is required.
- (c) As of the effective date of these regulations, all new signs or sign modifications for which a sign permit is required. (Sign requirements applied only.)
- (d) As of the effective date of these regulations, all interior building work exceeding an estimated value of \$10,000, as determined by the Building Official, for which a building permit is required.

f. **Architectural Projections into Yards.**

Architectural features such as bay windows, cornices and eaves may extend 2 feet into any required yard.

g. **Decks and Ramps.**

- (1) Decks and ramps 12 inches or less in height may be located in any yard.
- (2) Decks and ramps between 12 to 30 inches in height may be located in any rear or side yard but no closer than 3 feet to the rear or side property line.
- (3) Decks 30 inches or more in height shall conform to the minimum yard setback requirements of the primary building.
- (4) Decks located in hillside areas shall conform to the Hillside Design and Urban/Wildland Interface Guidelines.
- (5) Ramps for persons with physical disabilities providing access to single-family dwellings shall be constructed in a side yard where possible. If constructed in the front yard shall be decorative, and materials used shall match the home as much as possible. Landscape screening shall be provided along the sides of the ramp.

h. **Fences, Hedges, Walls.**

- (1) Fences, hedges and walls shall require approval by Planning Director or other approving authority, as determined by the Planning Director.
- (2) Fence, hedges and walls shall not exceed a height of 4 feet in a required front yard, side street yard or rear yard abutting a street.
- (3) For fences limited to a maximum of 4 feet in height, the height limit shall not be exceeded at grade measured on either side of the fence. For fences and walls required to

be at least 6 feet high or greater, the height shall be at least the required on both sides of the fence or wall.

- (4) Barb or razor wire or similar security fencing is prohibited.
- (5) Where a lot is situated at the intersection of two or more streets, fences, hedges and walls shall not be erected, placed, planted, or allowed to grow in such a manner as to obstruct intersection visibility, as contained in Ordinance No. 100 C.S., as amended, Hayward Traffic Code, Sections 9.01 through 9.05, relating to Obstructions to Visibility at Intersections Prohibited, as the same are now in effect or which may hereafter be amended or replaced.

i. **Grading.**

All grading activity shall follow the grading and terrain design standards of the City of Hayward Subdivision Ordinance, Design Guidelines and Hillside Design and Urban/Wildland Interface Guidelines.

j. **Landscaping.**

(1) **Landscape Areas.**

- (a) Required front, side, side street, and rear yard areas shall be landscaped except for permitted driveways, and walkways. All other areas not utilized for structures or paving shall be landscaped unless otherwise authorized by the Planning Director or other approving authority because of site constraints, existing or adjacent site conditions, or phased development.
- (b) Parking is prohibited within required front and side street yards. Where no front or side street yards are required:
 - (i) A landscape strip at least 10 feet wide, unless a wider strip is otherwise required by the approving authority, shall be installed between accessory parking areas and all existing or future street rights-of-way; and
 - (ii) The area between all buildings and existing or future street rights-of-way shall be landscaped unless waived by the approving authority.
- (c) Required landscaped areas shall be planted with water-conserving trees, shrubs, turf grass, ground cover, or a combination thereof. The sole use of bark, decorative paving, or decorative rock shall not be allowed in required landscape areas.
- (d) Where any landscaped area adjoins driveways or parking areas, Class B Portland Cement concrete curbs shall be constructed to a height of 6 inches above the finished pavement.

(2) **Buffer Trees/Landscaping.**

- (a) A minimum of one 15-gallon buffer tree shall be planted for every 20 lineal feet of property line where a required side or rear yard abuts an A, R, MH, OS, or residential PD District.
- (b) Masonry walls, solid building walls, trash enclosures, and/or fences facing a street or driveway shall be buffered with continuous shrubs or vines.

(3) Parking Lot Trees/Planters.

- (a) Parking areas shall include a minimum of one 15-gallon parking lot tree for every 6 parking stalls, except where restricted because of design constraints.
- (b) Parking lot trees shall be planted in tree wells or landscape medians located within the parking area, unless an alternative location is approved by the Planning Director. Required street and buffer trees shall not qualify as parking lot trees.
- (c) The minimum dimension of any tree well or landscape median shall be 5 feet, measured from back of curb.
- (d) The end of parking rows shall be capped with landscape medians, except where space is restricted because of existing site conditions.
- (e) Parking and loading areas shall be buffered from the street with shrubs, walls, or earth berms, as determined by the Planning Director. Where shrubs are used for buffering, the type and spacing of shrubs shall create a continuous 30-inch-high screen within 2 years.

(4) Street Trees.

Street trees shall be planted along all street frontages at a minimum of one 24-inch box or larger tree per 20 to 40 lineal feet of frontage or fraction thereof, except where space is restricted due to existing structures or site conditions.

(5) Landscaping Near BART.

- (a) Parcels abutting, or within 500 feet and in direct view from the BART right-of-way shall include a minimum 10-foot-wide landscape strip along the property line(s) abutting or in view from the BART right-of-way.
- (b) A minimum of one 15-gallon buffer tree shall be planted for every 20 lineal feet of property line. The approving authority may waive the requirement if it would not accomplish the intent of City policies as they relate to landscaping due to existing structures or other obstructions to viewing landscaping.

(6) Irrigation.

Within all required landscaped areas, an automatic water efficient irrigation system shall be installed upon initial construction of any building or substantial alteration to any building or site.

(7) Tree Preservation.

- (a) Trees shall be preserved in accordance with the Tree Preservation Ordinance with measures included for tree protection during the construction period.
- (b) A tree removal permit is required prior to removing any tree 30 inches or larger in trunk circumference (or approximately 10 inches or larger in trunk diameter), measured two feet above the ground.

(8) Maintenance.

- (a) After initial installation, all plantings shall be maintained in a reasonably weed-free and litter-free condition, including replacement where necessary as determined by the Planning Director.

- (b) Required street, parking lot, and buffer trees shall not be severely pruned, topped, or pollarded (cut back to the trunk).

k. **Lighting, Exterior.**

- (1) Exterior lighting and parking lot lighting shall provided in accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is decorative and in keeping with the design of the development.
- (2) Subject to the approval of the Redevelopment Administrator, intermittent, rowed lights or neon may outline the window or window letters and designs, for development within the jurisdiction of the City of Hayward Redevelopment Agency, providing the lighting is inside the window and is not glaringly bright.

l. **Office Uses in the CC-P Subdistrict.**

- (1) Offices in the CC-P Subdistrict and on the ground floor shall remain open between the hours of 10 a.m. and 5 p.m., Monday through Friday, except holidays when they may be closed.
- (2) Offices shall maintain display windows in an open and attractive manner, and non-view-obscuring doorways shall face the street.
- (3) No physical changes to the building shall occur which would make it difficult or costly to convert back to a retail use.
- (4) Use Permits granted for offices on the ground floor shall be for at least two years but not to exceed five years as determined by the approving authority.

m. **Open Space (Residential).**

- (1) A minimum of 100 square feet of usable open space is required per dwelling unit. Provisions for usable open space may be waived by the Planning Director or other approving authority for a project consisting of the remodeling of existing dwelling unit(s) or conversion of an existing building to a residential use.
- (2) A minimum of 30 square feet per unit shall be utilized for group open space unless the Planning Director or other approving authority reduces this amount or waives the requirement where an alternative open space design would be more appropriate to the shape or terrain of the parcel or tenant character or location of the property.
- (3) Group open space, where provided, shall meet multi-family minimum standards.

- (4) Except as noted herein, private ground-level and above-ground space shall conform to multi-family minimum standards; for example, balconies shall be not less than 60 square feet in area with a minimum dimension of 6 feet. Above-ground, open space such as balconies shall not be located within any required setback area unless waived by the Planning Director or other approving authority.
- (5) Open space areas and amenities provided within them shall be available to all residents in a given residential project at no charge other than through conventional rental payments or homeowners' association maintenance dues or other such charges (i.e., no monthly membership dues permitted.)
- (6) Site-specific special event rentals of open space areas and amenities are permitted (i.e., rental of a clubhouse for a wedding is permitted.)

n. **Outdoor Storage.**

All uses shall be conducted wholly within enclosed buildings. Minor open storage is a secondary use and is permitted, provided the materials, products, or equipment stored are necessary to the operation of a use being conducted on the site; storage is not placed within required yard or parking areas, and the storage is compatible with adjoining uses, as determined by the Planning Director (for example, adequately screened, set back or not too high, and not visually unpleasant as with outside storage of appliances in conjunction with appliance sales/service).

o. **Parking, Driveways and Paving.**

Parking, driveways and paving for residential and commercial uses shall be provided in accordance with the City of Hayward Off-Street Parking Regulations, Standard Details, and the following criteria:

- (1) **Parking Spaces Required.**
With exception to the following specific requirements, refer to the parking space requirements contained in the Off-Street Parking Regulations:
 - (a) Non-Residential Parking Requirement:
 - (i) Non-Residential uses shall provide a minimum of 1.0 space for each 315 square feet of gross floor area.
 - (ii) Additional off-street parking spaces shall not be required for construction of new buildings for commercial uses located on the ground floor in the Central City-Plaza District.
 - (iii) Off-street parking spaces shall not be required for construction of new buildings of similar area which replace demolished or damaged buildings within 6 months that were located all or partially in the Central City-Plaza District.
 - (b) Residential Parking Requirement:

- (i) Multiple-family housing shall provide a minimum of 1.0 covered and 0.5 uncovered spaces per dwelling unit.
 - (ii) Multiple-family housing exclusively for the elderly shall provide a minimum of 0.5 covered space per dwelling. (Occupancy requirements must be guaranteed, for example, condition of government financing or grant, or other guarantee acceptable to the City.)
 - (iii) Within the area subject to the Downtown Core Area Specific Plan, the residential parking requirement may be reduced by the approving authority to a minimum of 1.0 covered space per dwelling unit provided that the aggregate parking supply for all residential units at build out, as described in the Specific Plan, excluding units exclusively for the elderly, is 1.0 covered and 0.50 open spaces per dwelling. Residential parking requirements may be met in locations other than on the development sites, subject to the approval of the reviewing authority.
- (2) Parking Space Dimensions.
 - (a) Standard car parking spaces shall be a minimum of 9 feet wide by 19 feet long.
 - (b) Compact car parking spaces shall be a minimum of 8 feet wide by 15 feet long.
 - (c) Covered or uncovered parking spaces located adjacent to walls or support columns shall be increased in width by at least one foot on the effected side(s), to accommodate door swing.
 - (d) Covered parking spaces shall provide a minimum unobstructed vertical clearance of 7 feet. Parking space areas shall be unobstructed by stairs, cabinets, utilities, etc.
- (3) Parking Space Locations.
 - (a) Parking spaces shall not be located within the required front yard or side street yard setback.
 - (b) Parking spaces and driveways, not located under a building may be located in a required side and rear yard, but shall not be located within 5 feet of any side or rear yard property line or building. Unless wheel-stops are used, curbing for standard car or compact car parking spaces shall be setback 7 feet 6 inches and 7 feet, respectively, from a property line or building if a vehicular overhang is used.
- (4) Driveways and Paving.
 - (a) The minimum driveway width shall be 20 feet for a two-way driveway and 12 feet for a one-way driveway.
 - (b) In no case should a driveway exceed one-third of the width of the property frontage width or 35 feet.
 - (c) Parking and driveway surfaces shall be paved with asphaltic surface or comparable all-weather dustless material(s), such as bricks or pavers, as approved by the Planning Director.
- (5) Driveway Aisle Dimensions.

The minimum parking lot driveway aisle width shall for a two-way aisle shall be 26 feet for a standard car aisle and 20 feet for a compact car aisle.

(6) Driveway Turn-around Requirement.

All commercial and multi-family property shall provide a sufficient paved driveway turn-around to allow vehicles to exit property in a forward direction.

(7) Driveway Security Gates.

Refer to Chapter 10, Article 14 of the Hayward Municipal Code.

p. **Roof-Mounted Equipment.**

Roof-mounted equipment, antennas, satellite dishes, support structures and similar devices shall be screened from public view as required by Planning Director or other approval authority.

q. **Signs.**

(1) Signs shall be of a design in harmony with the environment, shall not constitute excessive visual impact, shall not be hazardous to vehicular traffic, and shall be of a quality conducive to the development of commerce.

(2) Redevelopment Area. For additional information regarding development standards in the Redevelopment Area, refer to the Downtown Design Requirements and Guidelines for Downtown Hayward plan, the Commercial Design Manual for Downtown Hayward and the Downtown Section of the Hayward Design Guidelines.

(3) General.

(a) Permitted Signs. Wall, window, awning, projecting, hanging monument signs, sidewalk display signs and signs of historical or aesthetic significance.

(b) Prohibited Signs. Roof, pole (except as otherwise provided) animated, revolving, flashing (except as part of a window display), portable or signs that obscure the detail of building facades.

(c) Colors. Sign colors must relate to the paint scheme of the building. No more than three colors shall be used on any one sign, unless approved by the Redevelopment Administrator. Fluorescent colors are prohibited.

(d) Lighting. Signs can be illuminated with directional spotlights, indirect lighting or internal lighting if the effect at night is not glaringly bright.

(e) Graphic Design. Sign construction and sign copy must be of professional quality. Primary signage should be designed to identify a business rather than advertise a brand-name product. Adequate contrast between sign, text, and background must be provided but glaring white sign backgrounds and intense colors must be avoided. A letter style that is readable and in scale with the size of the sign must be used. If more than one sign is used, the signs must be compatible in style.

(f) Sign Installation. All signs, except window signs, require a sign permit and building and electrical permits where required. All signs shall be installed in a professional manner, avoiding, to the extent possible, unsightly guy wires or other stabling devices.

(4) Sign Area and Number.

- (a) Maximum Number. For all establishments the maximum number of signs permitted per frontage is 2. The maximum number of signs permitted per establishment is 4 except that window signs do not count toward the total.
- (b) Total Area. The total area encompassed by a contrasting color scheme shall be counted when calculating allowable sign area.
- (c) Foothill Boulevard and "A" Street Area.
 - (i) The maximum sign area is 2 square feet per linear foot of primary frontage, and one square foot per linear foot of secondary frontage.
 - (ii) Only one frontage, which must contain a public entrance, may be counted as primary frontage. All other building frontages which have exposure to pedestrian or vehicular traffic are considered secondary frontages.
 - (iii) Only one secondary frontage may be counted for determining maximum sign area for all secondary frontages. Signs displayed on a single frontage shall be limited to the area and number that are permitted on that frontage alone.
 - (iv) No establishment shall be permitted more than a total of 200 square feet of sign area. Each establishment shall be entitled to a minimum of 50 square feet for the primary frontage.
- (d) Locations other than Foothill Boulevard and "A" Street.
 - (i) The maximum sign area is one square foot per linear foot of primary frontage, and one-half square foot per linear foot of secondary frontage.
 - (ii) Only one frontage, which must contain a public entrance, may be counted as primary frontage. All other building frontages which have exposure to pedestrian or vehicular traffic are considered secondary frontages.
 - (iii) Only one secondary frontage may be counted for determining maximum sign area for all secondary frontages. Signs displayed on a single frontage shall be limited to the area and number that are permitted on that frontage alone.
 - (iv) No establishment shall be permitted more than a total of 100 square feet of sign area. Each establishment shall be entitled to a minimum of 30 square feet for the primary frontage.

(5) Sign Types.

- (a) Wall Signs.
 - (i) Wall signs may be painted on the wall, or be made of metal, wood (except untreated plywood), plastic, neon or vinyl.
 - (ii) Fluorescent material is prohibited. Signs shall be located no higher than the cornice or parapet line, whichever is lower.
 - (iii) Wall signs legally erected before adoption of this ordinance shall be considered in conformance if they do not exceed the maximum allowable area by more than 25 percent, and do not extend above the cornice or parapet line, whichever is lower, by more than 25 percent of the height of the sign.
- (b) Permanent Window Signs.
 - (i) Permanent window signs may include graphics painted on glass, vinyl letters applied to glass, a clear acrylic panel behind the window, or small neon window signs and should be white or light in color since windows have a tendency to appear dark.

- (ii) Permanent window signs shall not occupy more than 25 percent of the total area of the window and shall not be counted toward allowable sign area.
- (c) Projecting Signs.
 - (i) Projecting signs shall be located no higher than the cornice or parapet line, whichever is lower, and must be located so as to not obscure any architectural detail of the facade. A double face projecting sign shall be considered one sign.
 - (ii) The maximum size of a projecting sign shall be 40 square feet (20 sq. ft. per side). Projecting signs shall not project more than 3 feet horizontally, except that along Foothill Boulevard and along "A" Street projecting signs may project up to 5 feet horizontally. In no case may the sign come within 2½ feet of the curb.
- (d) Horizontal Hanging Signs.
 - (i) Horizontal hanging signs, suspended from a canopy or awning, may be placed above an entry. A hanging sign shall not exceed 8 square feet in size (4 sq. ft. per side).
 - (ii) Hanging signs erected before adoption of this Section shall be considered in conformance if they do not exceed the maximum allowable area by more than 25 percent.
- (e) Overhang (Marquee) Signs.
 - (i) Overhang (marquee) signs are mounted atop the overhang, parallel to the storefront, should not be used in conjunction with wall signs.
 - (ii) Overhang signs shall not exceed 3 feet in height.
- (f) Awning Signs (ground floor).
 - (i) Awning signs (ground floor) shall not cover more than 30 percent of the total surface area of the awning. The area of an upper-floor awning sign shall not cover more than 20 percent of the total surface area of the awning.
 - (ii) Colors and lettering of awning signs shall be compatible with businesses they serve, as well as harmonize with neighboring storefronts. Signs on two side panels of an awning shall be considered as one sign for purposes of calculating total number of allowable signs.
 - (iii) Awning signs erected before adoption of Section 10-1.4993 B shall be considered in conformance if they do not exceed the maximum allowable area by more than 25 percent.
- (g) Service Station Signs.
 - (i) Each establishment shall be entitled to a maximum of 100 square feet of business identification, sales and service signs. No such signs shall be freestanding or pole mounted except as provided below.
 - (ii) One freestanding business identification sign is allowed. Such sign shall not exceed 60 square feet, 30 square feet per face, 15 feet in height or extend beyond the property line. Such sign shall be included in the 100 square foot limitation; and any freestanding business identification sign erected after the adoption of this ordinance shall incorporate a decorative base of brick, stucco, wood, or similar material. A double-faced price sign may be incorporated into or attached to the decorative base. A double-faced price sign may also be attached to the pole of a conforming freestanding business identification

sign. Such price signs shall not exceed 20 square feet in area per face.

- (iii) Additional Signs. One freestanding, double-faced price sign per street frontage may be permitted. No such sign shall exceed 20 square feet per face. Other miscellaneous State authorized signs may not exceed the minimum size and number provided for by the State. Such miscellaneous signs may be wall or pole mounted.

(h) **Temporary Signs.**

- (i) Hanging Banners. ‘Grand Opening’ banners shall be permitted on a one-time only basis for a period not to exceed 30 days. Hanging banners shall be permitted for promotional events, twice each year, not to exceed 14 consecutive days each. Other signage for promotional and “Grand Opening” events, as provided for in the Sign Ordinance, shall also be permitted subject to the size, number, and permit regulations set forth in that ordinance.
- (ii) Paper or Paint Window Signs. Special sale window signs of either paper or paint, are permitted. Such signs when combined with permanent window signs, must not occupy more than 25 percent of the total area of the window.
- (iii) Portable Signs. A-frame, mobile sandwich board signs, and similar signs are prohibited.
- (iv) Sidewalk Display Signs. Sidewalk display signs (such as sandwich boards) may be placed on private property, or within the first 18 inches of public property that is directly in front of the individual business. Such sign shall not exceed 6 square feet per side and limited to one per business. Sidewalk display sign area shall not count toward allowable sign area. A minimum passage way width of 48 inches must be maintained along the sidewalk in front of such sidewalk display sign. Such signs shall not be displayed during non-business hours.

x. **Surfacing.**

All open areas not landscaped shall be treated or paved with an all-weather, dustless material, such as an asphaltic surface, as approved by the Planning Director. Surfacing shall be permanently maintained, including replacement where necessary.

y. **Trash and Recycling Facilities.**

- (1) Trash and recycling facilities shall be adequately screened from view, utilizing a decorative wood or masonry wall or combination thereof compatible with the design of the primary building on the site.
- (2) Shall be located no further than 100 feet from the use it is designed to serve, unless the site topography is such that adhering to this standard would interfere with the collection of trash.

z. **Window Coverage.**

Transparent windows and doors of buildings occupied by businesses engaging in retail sales,

all or a portion of which are within 5 vertical feet of the floor and which are visible from public rights-of-way or pedestrian walkways or are otherwise visible by the general public from the exterior, shall remain free of coverings and materials that prevent views into or out of the stores. Retail goods intended for sale, or goods being stored, or other coverings or materials shall be located no closer than 5 feet from a transparent window or door, unless they are located beneath or above a window and are not visible from public right-of-way or pedestrian walkways or are otherwise visible by the general public. This section shall not apply to signs or retail goods that are presented within or adjacent to a window and that are a part of a decorative window display, as determined by the Planning Director.